

12-04-00

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## IN THE UNITED STATES PATENT AND TRADEMARK

Box New Patent Application  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231

Attorney's Docket No.: 20228-0303

## FILING TRANSMITTAL

Transmitted herewith for filing in the Patent Application of **Lynch, Gerard Alan.**:For: **"SYSTEM AND METHOD FOR AUTOMATING LISTING AND RE-LISTING OF AUCTION ITEMS"**

## ENCLOSURES

- ☒ 22 page application including specification, claims and abstract;
  - ☒ 14 sheets (Figs.1A-9) of ☒ informal/☐ formal drawings;
  - ☒ A Declaration, Power of Attorney & Petition (☐ signed/☒ unsigned);
  - ☒ A postcard for return to us as proof of receipt of the referenced documents.
- and**
- ☐ An Assignment of the invention with an assignment cover sheet;
  - ☒ Applicant(s) claim Small Entity Status (37 CFR 1.9(f) and 1.27(b));
  - ☐ IDS (form PTO-1449) and copies of references;
  - ☐ An Associate Power of Attorney;
  - ☐ A certified copy of the priority documents (DE 196 47 525.2 and DE 197 12 309.0) (Under 35 USC 119);
  - ☐ A Power of Attorney by Assignee;
  - ☒ Other: Request and Certification Under 35 USC 122(b)(2)(B)(i) (executed)

## TYPE OF FILING

- ☐ This application claims the benefit of an earlier filed U.S. Patent Application (35 USC 120).
- ☒ This application claims the benefit of the priority date of an earlier filed provisional patent application (35 USC 119).
- ☐ This is an application filed pursuant to 37 CFR 1.53, permitting receipt of a filing date upon filing of specification, claims and drawings, if required, with applicant being given a period of one month from the date of notice to file the fee and oath or declaration.
- ☒ In the event any parts of this application are missing, please treat this as a filing under 37 CFR 1.53 as defined just above.

## CERTIFICATE OF MAILING (37 CFR 1.10(a))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited on December 1, 2000 with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as **Express Mail No. EL745056105US** addressed to: Box New Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231

Date: December 1, 2000

*Cheryl Ann Rogers*  
 Cheryl Ann Rogers

JC912 U.S. PTO  
 09/728356  
 12/01/00

## FEE CALCULATION

The filing fee has been calculated as shown below:

				SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
BASIC FEE Design Patent				\$155		\$	\$310	\$
BASIC FEE Utility Patent				\$345	\$345.00		\$760	\$
EXTRA FEES				RATE	FEE		RATE	FEE
Total claims	26	minus 20 =	6	x9 =	\$54.00		x18 =	\$
Independent Claims	8	minus 3 =	5	x39 =	\$195.00		x78 =	\$
<input checked="" type="checkbox"/> Multiple Dep. Claim				+130 =	\$		+260 =	\$
<input type="checkbox"/> Assignment				+40 =	\$		+40 =	\$
<input type="checkbox"/> Rule 53 Surcharge				+65 =	\$		+130 =	\$
TOTAL					\$594.00			\$

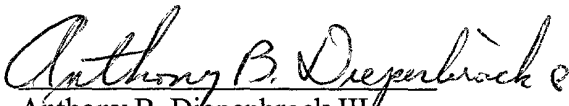
## FEE PAYMENT

- ☐ Attached is Check No. \_\_\_\_\_ in the sum of \$\_\_\_\_ to cover the filing fee.
- ☐ Please charge Account No. 02-3964 the sum of \$\_\_\_\_\_

## FEE DEFICIENCY

- ☐ Please charge Account No. 02-3964 in the sum of \$\_\_\_\_\_
- ☐ The Commissioner is authorized to charge (or credit any overpayment) to deposit account No. 02-3964:
- ☐ Any additional filing fees required under 37 CFR 1.16, except Rule 53 filings, which will be paid within the time permitted by PTOL 1533.
  - ☐ Assignment Recordal fees.
- ☒ The filing fee and surcharge under 37 CFR 1.16, patent application processing fees under 37 CFR 1.17 and patent issue fees under 37 CFR 1.18 are intended to be paid by our firm as they arise. As no abandonment is intended by any inadvertent nonpayment of fees, the Commissioner is hereby authorized to charge payment of such fees as from time to time come due, if not paid prior to due date to our Deposit Account No. 02-3964.

Respectfully submitted,

  
Anthony B. Diepenbrock III  
Reg. No. 39,960

Dated: December 1, 2000

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**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: **Lynch, Gerald Alan**

Docket No: 20228-0303

For: **"SYSTEM AND METHOD FOR AUTOMATION LISTING AND RE-LISTING  
OF AUCTION ITEMS"**

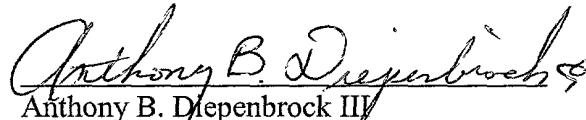
Assistant Commissioner for Patents  
WASHINGTON, D.C. 20231

**REQUEST AND CERTIFICATION NOT TO PUBLISH**  
**UNDER 35 U.S.C. 122(b)(2)(B)(i)**

Sir:

I hereby request that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Date: December 1, 2000

  
Anthony B. Diepenbrock III  
Reg. No. 39,960

This request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**